

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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REGULATORY AUTH.
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IN RE: SHOW CAUSE PROCEEDING)
AGAINST GASCO DISTRIBUTION)
SYSTEMS, INC.)

OFFICE OF THE
EXECUTIVE SECRETARY

DOCKET NO. 97-00293 and 97-00160

PETITION FOR RECONSIDERATION

Pursuant to T.C.A. § 4-5-317, Gasco Distribution Systems, Inc. ("Gasco") requests the Hearing Officer to reconsider, in part, the Initial Order issued in this matter on June 7, 2001.

The Hearing Officer has directed Gasco to pay a fine of \$4,425.00 by August 1, 2001, and a fine of \$2,125.00 by December 31, 2001. Although not discussed in the Order, the Hearing Officer presumably selected these dates in recognition of the fact that Gasco is a small company and cannot readily pay both fines. Because the great majority of Gasco's customers are residential and small business customers and use gas mostly during the winter months, Gasco does not have adequate revenue during the summer to pay for large, unbudgeted expenses, such as these fines, without affecting the company's quality of service.

State law requires the Authority to take into account "the appropriateness of the penalty to the size of the business" in determining the amount of a fine. T.C.A. 65-4-116. The same considerations should apply to the timing of the payments of a fine.

Therefore, Gasco requests that the payment schedule in the Initial Order be amended as follows:

August 31, 2001 - \$2,125.00

December 31, 2001 - \$2,212.50

April 30, 2002 - \$2,212.50

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

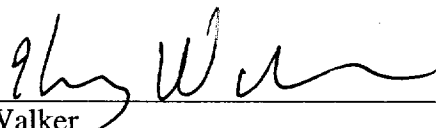
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 22 day of June, 2001.

Gary Hotvedt, Hearing Officer
Tennessee Regulatory Authority
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Nashville, TN 37243-0505

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